

PRESTON DUFAUCHARD
California Corporations Commissioner
WAYNE STRUMPFER
Deputy Commissioner
ALAN S. WEINGER (BAR NO. 86717)
Lead Corporations Counsel
BLAINE A. NOBLETT (BAR NO. 235612)
Corporations Counsel
320 West 4th Street, Suite 750
Los Angeles, California 90013-2344
Telephone: (213) 576-1396 Fax: (213) 576-7181

Attorneys for Complainant

BEFORE THE DEPARTMENT OF CORPORATIONS
OF THE STATE OF CALIFORNIA

In the Matter of the Accusation of THE
CALIFORNIA CORPORATIONS
COMMISSIONER,

Complainant,

v.

WEST ESCROW, INC.,

Respondent.

File No.: 963-1944

**ORDER IMPOSING PENALTIES
PURSUANT TO CALIFORNIA FINANCIAL
CODE SECTION 17408**

TO: WEST ESCROW, INC.
315 S. Beverly Drive, Suite 515
Beverly Hills, California 90212

NOW THEREFORE the California Corporations Commissioner ("Commissioner") having found that West Escrow, Inc. ("West Escrow") failed to file its annual audit report containing audited financial statements ("audit report") for its fiscal year ended February 28, 2007 as required by Financial Code section 17406, it is hereby ordered, pursuant to Financial Code section 17408, that West Escrow pay the Commissioner the sum of \$9,000.00, plus an additional \$100.00 for each day after September 13, 2007 that the audit report is not filed.

///

Pursuant to Financial Code section 17406, West Escrow was required to submit its audit report for the fiscal year ended February 28, 2007 to the Commissioner on or before June 15, 2007.

The Commissioner notified West Escrow in writing on or about January 25, 2007 of the due date of the audit report as well as the possibility of the imposition of fines if the audit report was filed late. To date, West Escrow has yet to file its audit report with the Commissioner.

Financial Code section 17408, subdivisions (b) - (e) provide as follows:

(b) The commissioner may impose, by order, a penalty on any person who fails, within the time specified in any written demand of the commissioner, (1) to make and file with the commissioner any report required by law or requested by the commissioner . . . The amount of the penalty may not exceed one hundred dollars (\$100) for each day for the first five days the report or information is overdue, and thereafter may not exceed five hundred dollars (\$500) for each day the report or information is overdue.

(c) If, after an order has been made under subdivision (b), a request for hearing is filed in writing within 30 days of the date of service of the order by the person to whom the order was directed, a hearing shall be held in accordance with the Administrative Procedure Act, Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all the powers granted under that chapter.

(d) If the person fails to file a written request for a hearing within 30 days of the date of service of the order, the order imposing the penalty shall be deemed a final order of the commissioner, and the penalty shall be paid within five business days.

(e) If a hearing is requested, the penalty shall be paid within five business days after the effective date of any decision in the case ordering payment to be made.

DATED: September 13, 2007
Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Alan S. Weinger
Lead Corporations Counsel